

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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Katherine Brooks Harris, Sydney McNeal and :
Yuqing ("Chelsea") Wei, Index No. 154172/2018
:
Plaintiffs, :
- against - : **AFFIDAVIT OF PLAINTIFF SYDNEY
McNEAL IN OPPOSITION TO
DEFENDANTS' MOTION TO DISMISS**

Charlie Rose Inc., and Charles Peete Rose Jr.
a/k/a Charlie Rose, :

Defendants. :

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STATE OF TEXAS)
: ss.:
COUNTY OF TRAVIS)

SYDNEY McNEAL, being duly sworn, deposes and says:

1. I am a Plaintiff in the above-referenced matter.
2. I make this affidavit in opposition to the motion of Defendants Charlie Rose Inc.

and Charles Peete Rose Jr. a/k/a Charlie Rose ("Defendants") to dismiss and to supplement the Complaint with additional examples of the conduct of Charlie Rose ("Rose") during my employment.

A. Additional Examples Of Discrimination

3. During my employment, Rose engaged in acts of physical and verbal sexual harassment against me numerous times and I also witnessed Rose engage in such conduct against other women including among others, Plaintiff Katherine Brooks Harris.

4. As noted in the Complaint, Rose repeatedly touched me in an unwelcome, offensive and inappropriate manner. Rose did so at least once a week and often multiple times each week. He looked for opportunities to touch me.

5. In addition to the examples of such conduct outlined in the Complaint, set forth below are additional examples of Rose's conduct during my employment.

6. Rose, when speaking to me, would repeatedly approach me and stand too close to me. He would constantly touch me and squeeze me in a dominating and degrading manner. He would put his arm around my body, put his hand on my waist, pull me close and hold me tight. He would often pull me so close that my body would be touching his body.

7. Rose would grab my upper arm and squeeze it. He would put his hands on my shoulder, squeeze my shoulder and press down on my shoulder and keep his hands there. Rose would often grab onto me while he was sitting down, wrap his arms around my hips and waist, pull me close and hold me tight. Rose kept his hands on me for the duration of the conversation.

8. Rose did not touch male employees in the way that he touched me.

9. Rose repeatedly required me to have lunch and/or dinner with him at various restaurants in Manhattan, and engaged in acts of sexual harassment at those restaurants. The restaurants included, among others: Nello; Le Bilboquet; Cipriani; and Lavo.

10. On at least three occasions, Rose undressed in front of me and Ms. Harris, removing his dress shirt and exposing his naked upper body (he did not wear an under shirt).

11. Rose could have changed his shirt in a nearby restroom, but intentionally undressed in front of me and Ms. Harris, because he wanted us to see his naked upper torso.

12. Rose also required me to open his closet and select a dress shirt for him to wear.

13. On at least 12 occasions, Rose hugged and kissed me and Ms. Harris, often after dining at a restaurant or when he left the office for a business trip or vacation. He would grab both my shoulders, pull me close to him, and plant a wet kiss on my cheek, close to my lips.

14. Submission to Rose's conduct was a term and condition of my employment.

15. Rose's conduct was unwelcome and offensive and created an environment degrading to women and showed Defendants' expectations of a woman's role in the workplace.

B. Additional Examples Of Protected Activity And Retaliation

16. I opposed, objected to and/or complained about Rose's unlawful conduct.

17. Despite my opposition, no remedial action was taken.

18. For example, during Rose's sexual harassment I communicated my disapproval by, among other acts, rolling my eyes, looking at Rose with disapproval, saying "Charlie" in a tone of disapproval, changing the subject, changing my physical stance, and attempting to move away from Rose. Rose knew or should have known from my reactions that I disapproved of his conduct.

19. For example, in or about August 2017, Ms. Harris complained to Yvette Vega, Executive Producer of the Charlie Rose Show, about Rose's sexual comment about Ms. Harris and I swimming naked together in his swimming pool. Ms. Vega knew that Rose's conduct was unwelcome and offensive, but replied with words to the effect of "that's Charlie being Charlie" and did not take any remedial action. I witnessed Ms. Harris's complaint and Ms. Vega's reply.

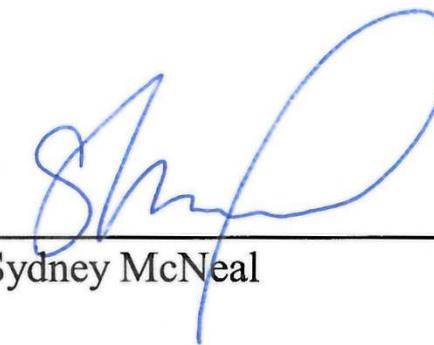
20. As noted in the Complaint, at various times, Rose threatened to fire me, intimidated me and/or verbally abused me as part of his predatory behavior, desire for sexual dominance over me, and retaliation against me. Defendants' retaliatory conduct against me was subsequent to and close in time to my protected activities.

C. Additional Information

21. Upon information and belief, Rose is President, Chief Executive Officer, owner, an employee, and/or agent of his company Charlie Rose Inc.

Dated: March 29, 2019

By:



Sydney McNeal

Sworn to before me
this 29 th day of March, 2019

MISCHÉLE BUERKLE
Notary Public

